

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

JESSIE LEE FARMER, JR.
ADC #166000

PLAINTIFF

V.

No. 4:20CV00859-KGB-JTR

JAMES FLOWERS, Kitchen
Supervisor; and JOHN DOE,
Disciplinary Hearing Officer

DEFENDANTS

ORDER

Plaintiff Jessie Lee Farmer, Jr. is incarcerated in the Ouachita River Unit of the Arkansas Division of Correction (“ADC”). On July 21, 2020, he filed this *pro se* § 1983 Complaint, along with a motion for leave to proceed *in forma pauperis*, in the United States District Court for the Western District of Arkansas. *Docs. 1 & 2*. On July 22, 2020, the case was transferred to this District. *Doc. 3*.

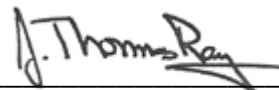
In his Complaint, Farmer challenges a disciplinary conviction he received on December 15, 2017, at the ADC’s Wrightsville Unit. He is challenging *this same disciplinary* in another pending § 1983 case: *Farmer v. Flowers*, E.D. Ark. Case No. 4:20cv209-KGB-JTR (Case No. 4:20cv209). On June 3, 2020, the Court recommended that Case No. 4:20cv209 be dismissed for failure to prosecute. *Id.*,

doc. 4. That recommendation is still pending, and the case has not yet been dismissed.¹

The Court will withdraw the June 3, 2020 Recommended Disposition in Case No. 4:20cv209. The Clerk is directed: (1) to docket Farmer's new § 1983 Complaint (*Doc. 1*) as an "Amended Complaint" in Case No. 4:20cv209; and (2) to docket Farmer's motion for leave to proceed *in forma pauperis* (*Doc. 2*) in Case No. 4:20cv209.

By separate document, the Court will recommend that Farmer's Complaint in this new § 1983 action (Case No. 4:20cv859-KGB-JTR) be dismissed, without prejudice, as raising claims that are duplicative of those that are pending in Case No. 4:20cv209-KGB-JTR.

IT IS SO ORDERED this 18th day of August, 2020.



UNITED STATES MAGISTRATE JUDGE

¹Farmer incorrectly believes that Case No. 4:20cv209 has been dismissed. *Doc. 1 at 1*.